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Attorney for Plaintiff  
DALE BRETCHES

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DALE BRETCHES,

Plaintiff,

v.

RICHARD KIRKLAND, et al.

Defendant.

Case No. C06-05277 JSW

**STIPULATION TO CONTINUE  
COMPLETION PERIOD FOR  
MANDATORY SETTLEMENT  
CONFERENCE; ORDER THEREON**

No hearing requested.

During the August 28, 2009 initial scheduling conference in this matter, the Court issued a completion date for a mandatory settlement conference to be held before the United States Magistrate Nandor J. Vadas. The completion date set by the Court is November 30, 2009.

Due to scheduling conflicts with Plaintiff's counsel, and the Court's calendar issues, the parties have reserved and established the following mandatory settlement conference date, which will occur before Judge Vadas before the visiting judge's courtroom at the United States District Courthouse, Northern District of California, December 15, 2009, at 3:00 p.m.

1 Judge Vadas' clerk advised that this date cannot be confirmed and/or set until the Court first  
2 issues an order extending the mandatory settlement conference completion period. Defendant  
3 Kirkland agrees to extend time for completing the mandatory settlement conference so long as  
4 it does not prejudice his argument that this action should be dismissed for failure to comply  
5 with the Court's September 16, 2009 Order.  
6

7  
8 Accordingly, the parties hereby STIPULATE that the Court may issue an ORDER extending  
9 the mandatory settlement conference completion date to and including December 15, 2009  
10

11 **SO STIPULATED:**  
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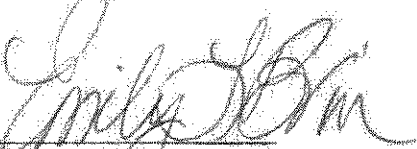
13 **FRANCK & ASSOCIATES**  
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15 /s/ Herman Franck

Date: November 16, 2009

16 By Herman Franck, Esq.  
17 Attorneys for Plaintiff  
Dale Bretches  
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20 **CALIFORNIA STATE ATTORNEY GENERAL'S OFFICE**  
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23 By Emily Brinkman, Esq.  
24 Attorneys for Defendant  
Richard Kirkland  
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Date: November 16, 2009

ORDER BASED ON STIPULATION

The Court hereby ACCEPTS the forgoing STIPULATION of the parties, and hereby ORDERS that the mandatory settlement conference completion date is hereby EXTENDED to December 31, 2009.

  
Hon. Jeffrey White  
United States District Court Judge

Date: November 30, 2009